

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

NOMTE CALLAWAY,

No. 2:12-cv-1279-TC
O R D E R

Plaintiff,

vs.

R. PAUL FRASIER, et al.,

Defendants.

AIKEN, Chief Judge:

Magistrate Judge Coffin filed his Findings and Recommendation on February 13, 2013. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo

determination of that portion of the Magistrate's report. 28
U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore
Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert.
denied, 455 U.S. 920 (1982).

Plaintiff filed objections (doc. 20) as well as supplemental objections (doc. 21) to the Findings and Recommendation. I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 14) as follows: plaintiff's motion for default (doc. 5) is denied and this case is dismissed with prejudice.

IT IS SO ORDERED.

Dated this 30 day of April 2013.



Ann Aiken
United States District Judge